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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/612,612	07/02/2003	Marvin Ruffin	03120057	4756

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EXAMINER

MAY, ROBERT J

ART UNIT	PAPER NUMBER
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2875

DATE MAILED: 05/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/612,612	<b>Applicant(s)</b> RUFFIN ET AL.	
	<b>Examiner</b> Robert May	<b>Art Unit</b> 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 01 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-12 is/are allowed.
- 6) ☒ Claim(s) 13 and 15-20 is/are rejected.
- 7) ☒ Claim(s) 14, 21 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                                    | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments, see Remarks, filed 1 February 2006, with respect to Claim 22 have been fully considered and are persuasive. The rejection of Claim 22 has been withdrawn.

Applicant's arguments with regard to Claim 13 filed 1 February 2006 have been fully considered but they are not persuasive. The applicant asserts that the reference Dietz does not reflect the light in a substantially horizontal plane because Dietz discloses an imaging device as opposed to what the applicant is claiming being a non-imaging device, which is central to the effective function of the invention. However, Dietz does disclose structure of the reflectors that can emit the light in a horizontal plane albeit towards the light channel.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., reflecting surfaces that are distinct geometrically from the body 10) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 13, 15-17, are rejected under 35 U.S.C. 102(b) as being anticipated by Dietz (US Pat 2,293,597).

Regarding Claim 13, Dietz discloses in Figure 2 a reflector 12 with a semi-cylindrical front surface (25), a back surface with an indentation or channel (11), a top and bottom reflecting angled and curved surface 12 (Pg 1, Lines 55-57), which are shown to be quadrilaterally symmetrical to each other in Figure 2.

Regarding Claim 15, Dietz discloses a lens 10, which magnifies light.

Regarding Claim 16, Dietz discloses in Figure 2, the reflective surfaces being angled which create internal reflection to the channel.

Regarding Claim 17, Dietz discloses the reflecting surfaces coated with a silvering solution, which is inherently specularly reflective (Pg 1 Line 55).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dietz. Dietz does not explicitly disclose a face on the reflecting surface (12) but it is generally obvious to one of ordinary skill to modify the angled curved surfaces (12) to have a faceted angled surface for a reflecting surface in order to direct the light in particular direction, which is notoriously known in the art. Therefore, it would be obvious to one of ordinary skill in the art to modify the reflecting surfaces (12) of Dietz with faceted surfaces in order to direct the light in a particular direction.

Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dietz in view of Morton (US Pat 3,883,731). Dietz discloses all of the claimed features of 13, but

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does not disclose an evaporated aluminum on the reflecting surfaces (12). However, Morton discloses depositing an aluminum coating on a surface in order to make it reflective. Therefore, it would be obvious to one of ordinary skill in the art to coat the reflective surfaces of Dietz with an Aluminum coating in order to make it reflective.

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dietz in view of Colbert (US Pat 2,390,424). Dietz discloses all of the claimed features of 13, but does not disclose a chromium layer added to the reflecting surfaces (12). However, Colbert discloses depositing a chromium layer on a reflective surface in order to make it reflective, hard, and scratch resistant (Pg 4, Lines 66-68). Therefore, it would be obvious to one of ordinary skill in the art to coat the reflective surfaces of Dietz with a Chromium layer in order to make it reflective and scratch resistant.

### ***Allowable Subject Matter***

Claims 1-12 are allowed.

Claims 14 & 21 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In regard to Claim 1, the prior art does not teach a directed light source with a planar substrate with a top and bottom surface and a light-emitting device located on the top surface of the substrate.

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In regard to Claim 14, the prior art does not teach or suggest a reflector as claimed in Claim 13 with a toroidal lens on the semi-cylindrical front surface.

In regard to Claim 21, the prior art does not teach or suggest a reflector as claimed in Claim 13, with an aperture on the semi-cylindrical surface.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert May whose telephone number is (571) 272-5919. The examiner can normally be reached between 9 am– 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax number for the

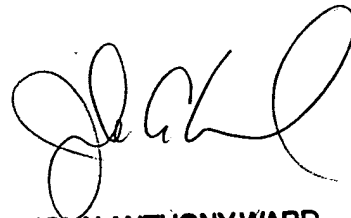
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organization where this application or proceeding is assigned is (571) 273-8300 for all communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval PAIR system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RM

4/18/06

A handwritten signature in black ink, appearing to read 'JAW', with a large, stylized loop at the end.

**JOHN ANTHONY WARD  
PRIMARY EXAMINER**